U.S. Patent No. 9,300,723 v. Activision Publishing, Inc. Claims 22, 24, 29, 30.

1. Claim Chart

Claim	Analysis			
[22.P] A method of transferring a media file from	Activision Publishing, Inc. ("Company") performs and/or induces others to perform a method of transferring a med file from a wireless mobile device to a media system over a communication network, the media system including security measure.			
a wireless mobile device	This element is infringed literally, or in the alternative, under the doctrine of equivalents.			
to a media system over a communication network, the media system including a security	For example, the Company provides Call of Duty: Modern Warfare III, an internet-based game featuring Voice Chat in which the player and his friends communicate with each other. Call of Duty: Modern Warfare III is accessible on both PC and laptop, with the game installed on both the player's PC or laptop ("media system") and his friend's PC or laptop ("wireless mobile device"). The player's PC or laptop receives voice chats ("media file") from his friend's PC or laptop through a network connection ("communication network"). To communicate through voice chat, both the player and his friend need to log in ("security measure") to the Call of Duty account.			
measure, comprising:	CALL® DUTY MODERN WARPARE Source: https://www.callofduty.com/			

The following system specifications for *Call of Duty®: Modern Warfare® III* refer to desktop PCs. While some laptop PCs use graphics cards that align with the

requirements below, they can be different models and are therefore not supported. Be sure to reference your PC owner's manual if you are unsure about your PC's specifications.

All specifications below require a broadband internet connection and DirectX 12 compatibility.

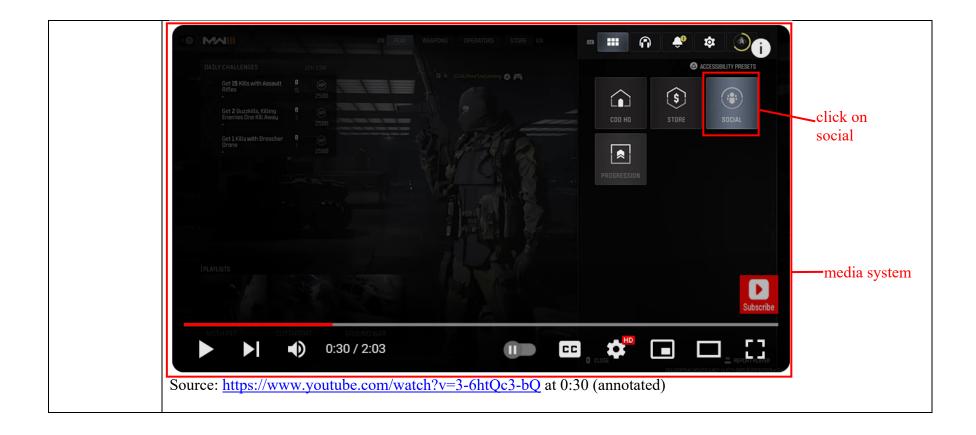
Specs are valid for product at launch and may be updated in the future. Additional storage space may be required for mandatory game updates.

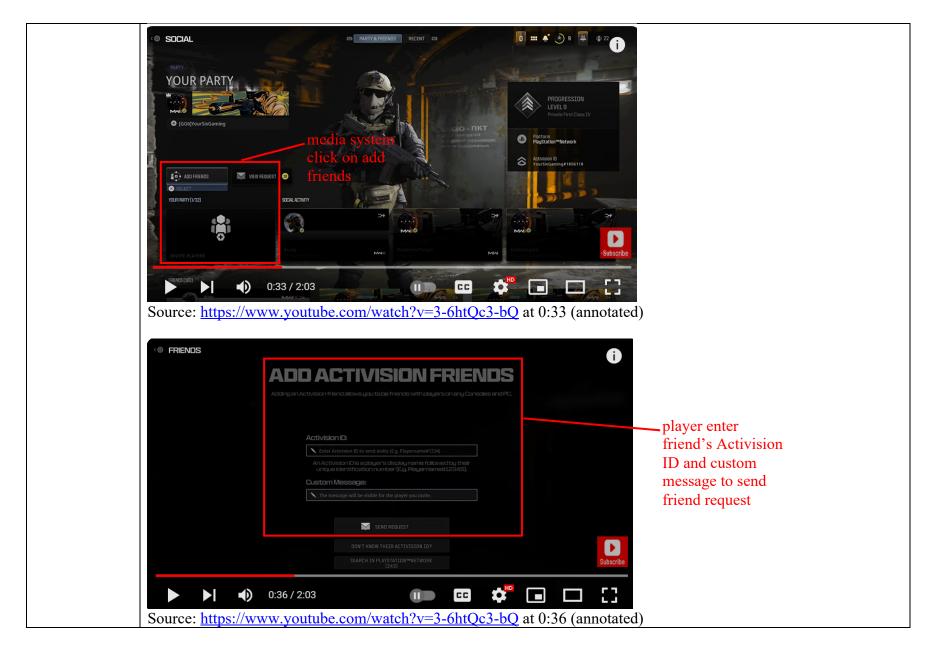
Source: https://support.activision.com/modern-warfare-iii/articles/pc-system-requirements-for-modern-warfare-iii

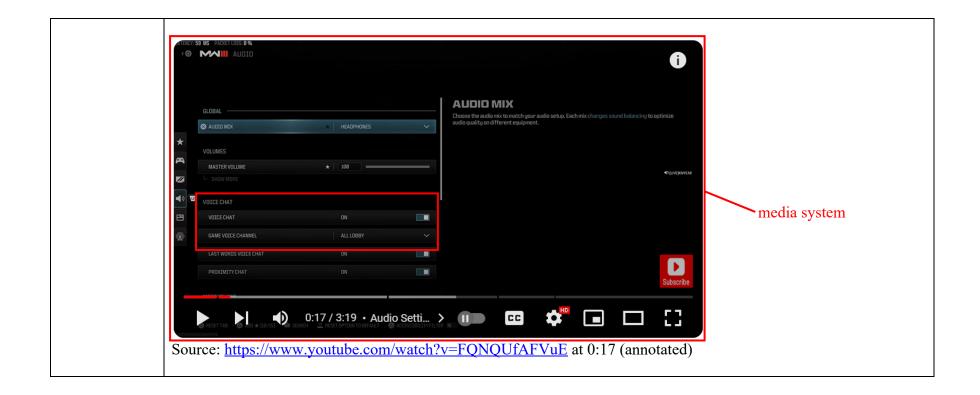
Moving over in the navigation panel is a tab called Channels. This is another social tool that you and your friends can use to access and manage your party and other Social channels you may wish to create and keep track of the players you game with.

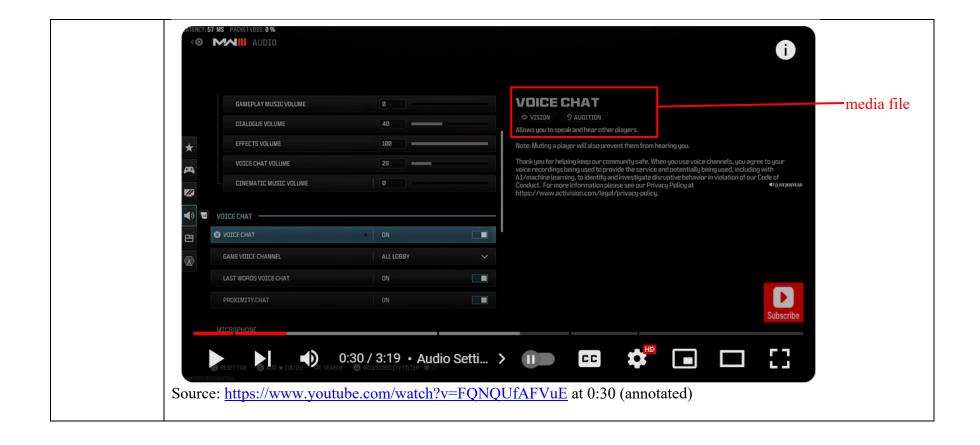
Select the Party Channel to invite players to your party and change the party settings. You can have up to 32 players in your party and maintain a voice channel for everyone to socialize in while you play. This party does not mean that you can all play together at once, but you can at least continue chatting with each other.

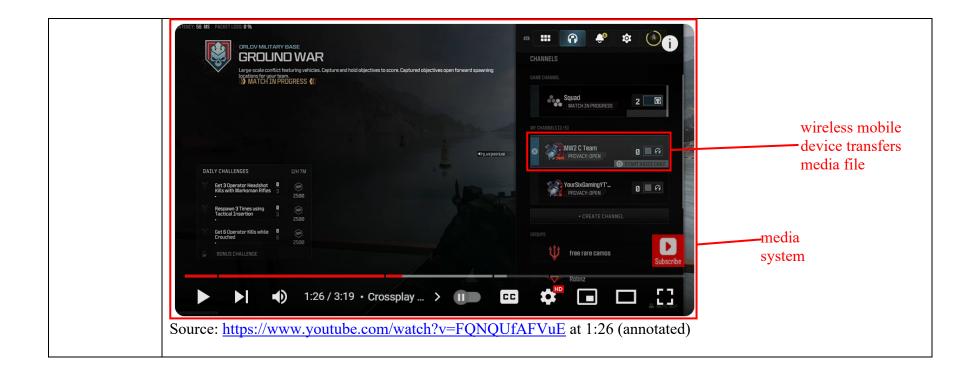
Source: https://www.callofduty.com/guides/getting-started/call-of-duty-modern-warfare-iii-play-guides-getting-started-guide











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We strongly recommend using a wired Ethernet connection during online gameplay. A wired connection will allow your system to achieve optimal performance when playing an online game. Wi-Fi connections have a wide variance in reliability and bandwidth, and can dramatically affect the quality of online gameplay. Wired Ethernet connections will maintain the minimum bandwidth connection that is required for online gaming.

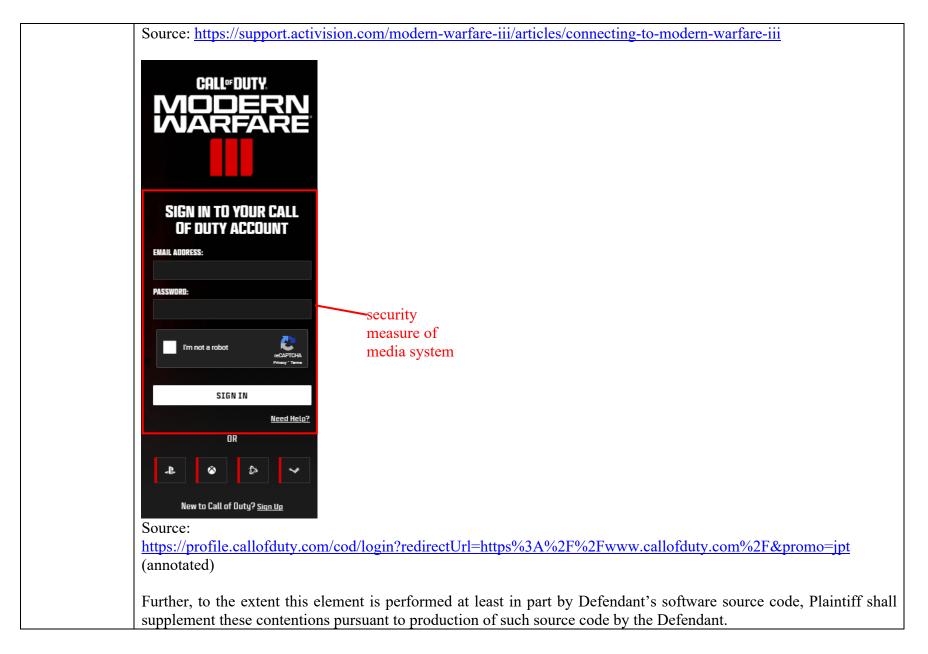
Source: <a href="https://support.activision.com/modern-warfare-iii/articles/connecting-to-modern-warfare-iii/artic

The following tests require you to log in to the router on your home network to troubleshoot your network. You will need your router's login credentials to proceed. If you do not know your router's login credentials, you will need to contact your Internet Service Provider.

These tests refer to options that are typically found in a router's menu. If you cannot find what you're looking for, please refer to your router's manual.

You may not need to perform all of these tests, so be sure to test the game after attempting each one.

If you are on an institutional (school), corporate, or another shared network, please refer to your network administrator for further assistance.



[22.1] disposing the media system in an accessible relation to at least interactive computer network has a wireless range structured permit authorized access to said at least one interactive computer network, wherein the wireless mobile device within said wireless range, wherein wireless mobile device is detectable by said media system,

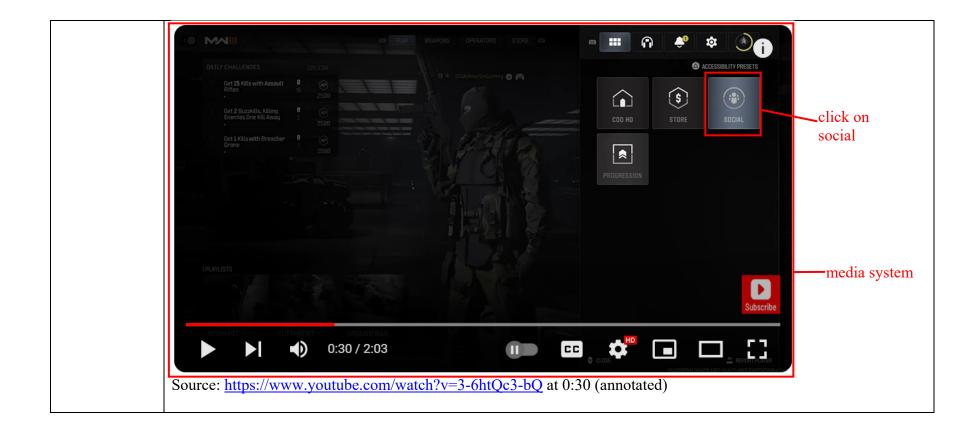
Company performs and/or induces others to perform the step of disposing the media system in an accessible relation to at least one interactive computer network that has a wireless range structured to permit authorized access to said at least one interactive computer network, wherein the wireless mobile device within said wireless range, wherein said wireless mobile device is detectable by said media system.

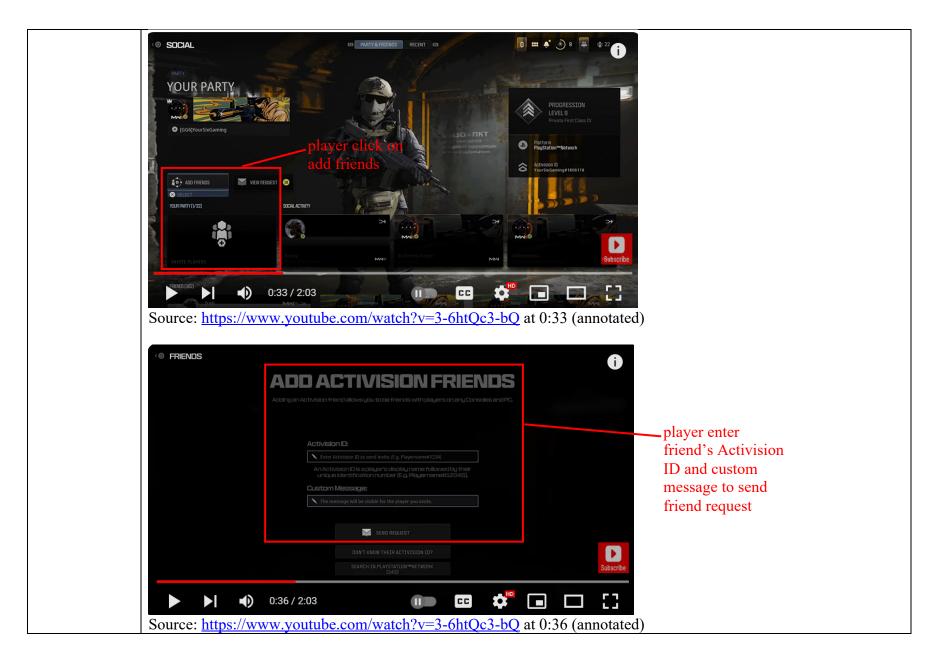
This element is infringed literally, or in the alternative, under the doctrine of equivalents.

For example, Call of Duty: Modern Warfare is accessible on both PC and laptop, with the game installed on the player's PC or laptop ("media system"). Players engage in communication with their friends through the Voice Chat feature. When a player utilizes Voice Chat, their voice chats are transmitted from their PC or laptop to the friend's PC or laptop via a wireless internet connection ("interactive computer network"). Given that players need to connect to a wireless internet connection for both playing the game and engaging in voice chat communication, it is apparent that the player's PC or laptop maintains an accessible relationship with the interactive computer network.

Further, the player logs in to the router by entering its login credentials ("authorized access") on its PC or laptop for establishing a wireless internet connection ("interactive computer network"). As wireless routers inherently possess a specified range, therefore, it is apparent to a person having ordinary skill in the art that a wireless range is structured to permit authorized access to at least one interactive computer network.

Furthermore, the player adds his friends to his friend list so that he can communicate with them through voice chat. Subsequently, during gameplay, the friend's PC or laptop ("wireless mobile device") transmits voice chats to the player's PC or laptop ("media system") through the established wireless internet connection. Given that wireless routers have a defined range and the player's PC or laptop connects to it before initiating an internet connection, it follows that the player's PC or laptop communicates with its friend's PC or laptop. Therefore, upon information and belief, the friend's PC or laptop is disposed within said wireless range and it is detectable by the player's PC or laptop.





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Source: https://support.activision.com/modern-warfare-iii/articles/pc-system-requirements-for-modern-warfare-iii

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interactive computer network

Source: https://support.activision.com/modern-warfare-iii/articles/connecting-to-modern-warfare-iii (annotated)

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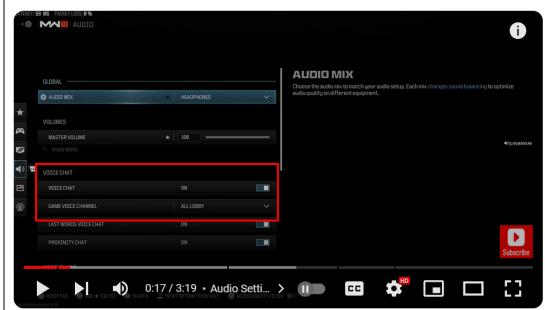
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Source: https://support.activision.com/modern-warfare-iii/articles/connecting-to-modern-warfare-iii

Moving over in the navigation panel is a tab called Channels. This is another social tool that you and your friends can use to access and manage your party and other Social channels you may wish to create and keep track of the players you game with.

Select the Party Channel to invite players to your party and change the party settings. You can have up to 32 players in your party and maintain a voice channel for everyone to socialize in while you play. This party does not mean that you can all play together at once, but you can at least continue chatting with each other.

Source: https://www.callofduty.com/guides/getting-started/call-of-duty-modern-warfare-iii-play-guides-getting-started-guide



Source: https://www.youtube.com/watch?v=FQNQUfAFVuE at 0:17

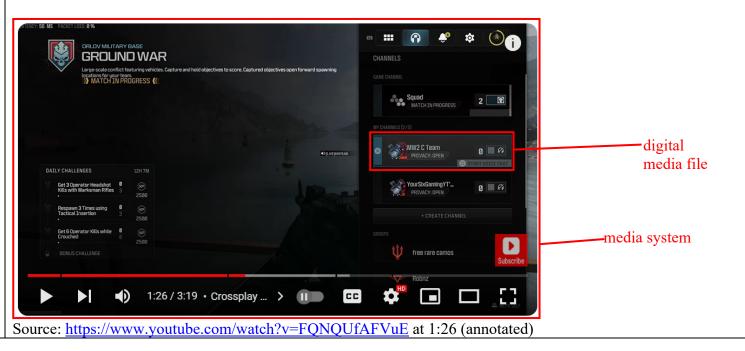
Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.

[22.2] initially disposing least one digital media file on the wireless mobile device. media said system being structured to detect said wireless mobile device disposed within said wireless range,

Company performs and/or induces others to perform the step of initially disposing at least one digital media file on the wireless mobile device, said media system being structured to detect said wireless mobile device disposed within said wireless range.

This element is infringed literally, or in the alternative, under the doctrine of equivalents.

For example, both player's PC or laptop and his friend's PC or laptop communicate with each other using voice chat. The friend's PC or laptop ("wireless mobile device") records ("initially disposed") the voice chats ("digital media file"). Therefore, it would be apparent to a person having ordinary skill in the art that the player's PC or laptop ("media system") is structured to detect its friend's PC or laptop ("wireless mobile device"). Since, both player and his friend's PC or laptop devices are connected to the wireless router having a defined range therefore, upon information and belief, the friend's PC or laptop is disposed within said wireless range.



2. How does Call of Duty's voice chat moderation work?

Voice Chat Moderation is managed and operated by Activision and uses the Al-powered model ToxMod from Modulate. This system is integrated into select *Call of Duty* titles (see below) and is managed by Activision. Voice chat is monitored and recorded to identify and investigate disruptive behavior in violation of the *Call of Duty* **Code of**

Conduct.

Call of Duty's Voice Chat Moderation system is focused on detecting harm within voice chat versus specific keywords. Violations of the Call of Duty Code of Conduct are subject to account enforcement.

Source: https://support.activision.com/articles/call-of-duty-voice-chat-moderation

One can only hope that the ToxMod rollout is successful and doesn't result in <u>unfair bans that many Call of Duty</u> players have experienced. Speaking about ToxMod, Activision chief technology officer Michael Vance says "This is a critical step forward to creating and maintaining a fun, fair and welcoming experience for all players." It is clear that Activision is taking toxicity on its servers very seriously, so while there may be some early teething problems with the new system, some cautious optimism may be in order.

Source: https://gamerant.com/call-of-duty-modern-warfare-3-ai-voice-chat-moderation/

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Source: https://support.activision.com/modern-warfare-iii/articles/connecting-to-modern-warfare-iii

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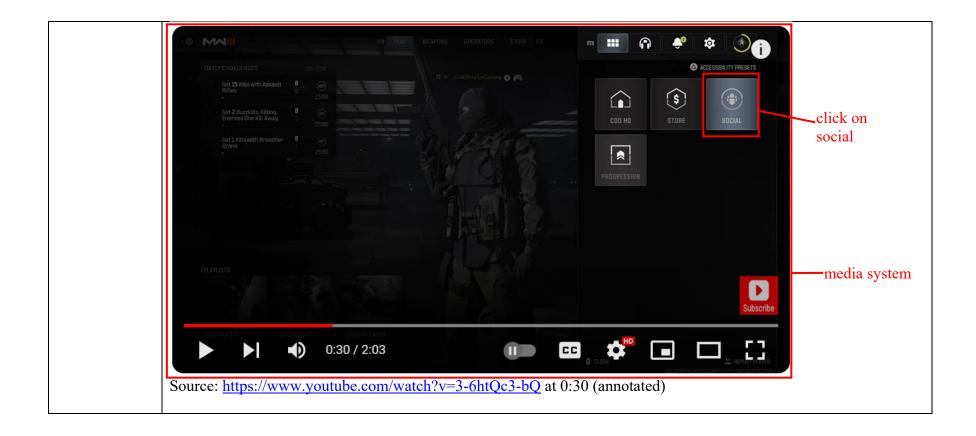
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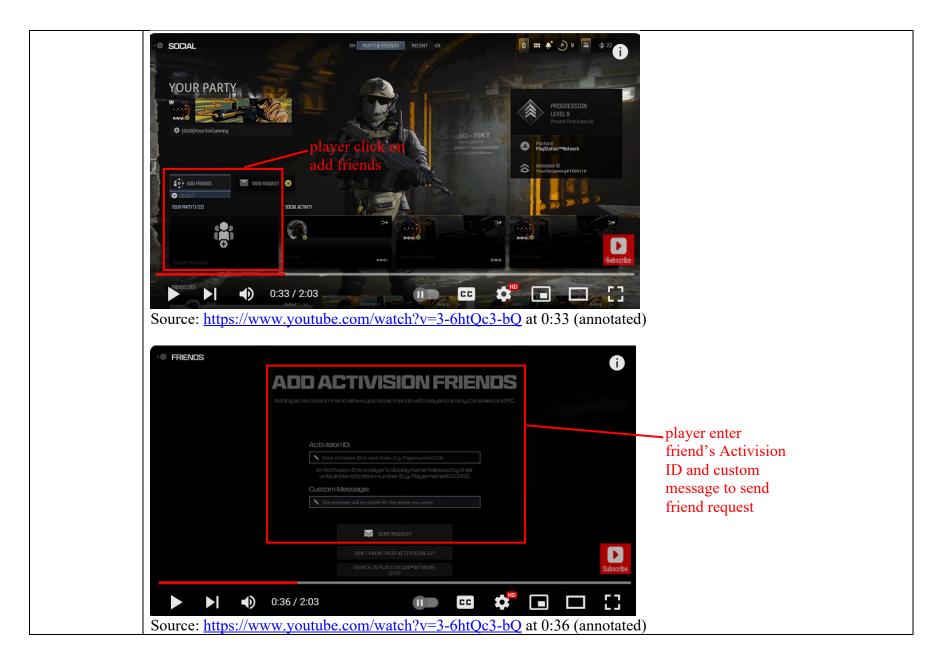
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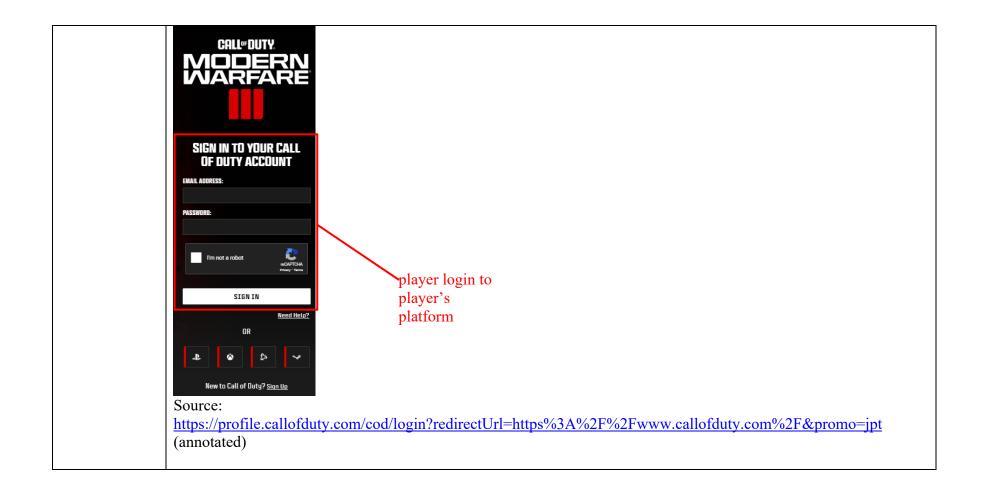
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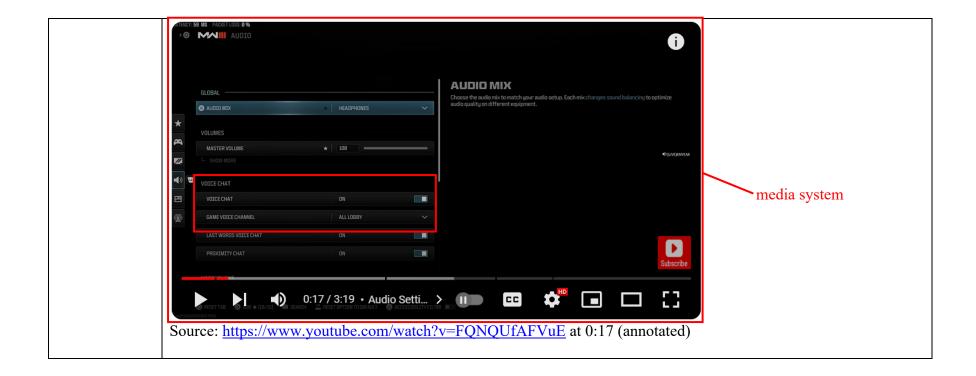
Source: https://www.callofduty.com/guides/getting-started/call-of-duty-modern-warfare-iii-play-guides-getting-started-guide

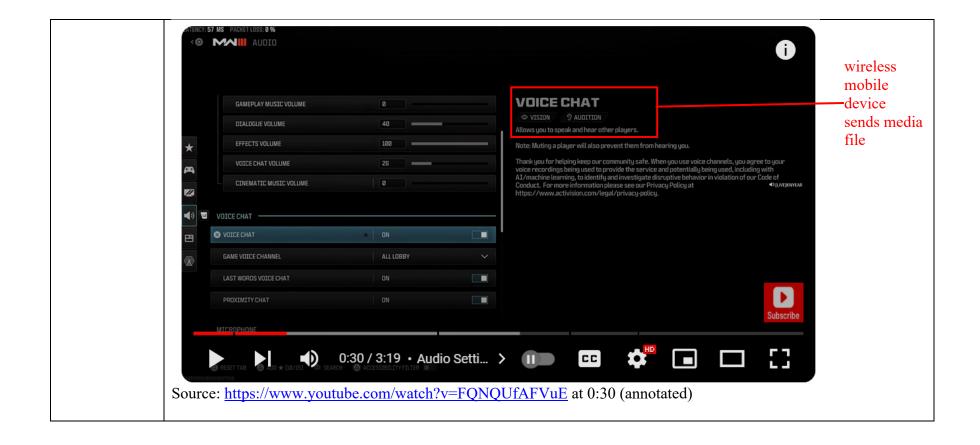


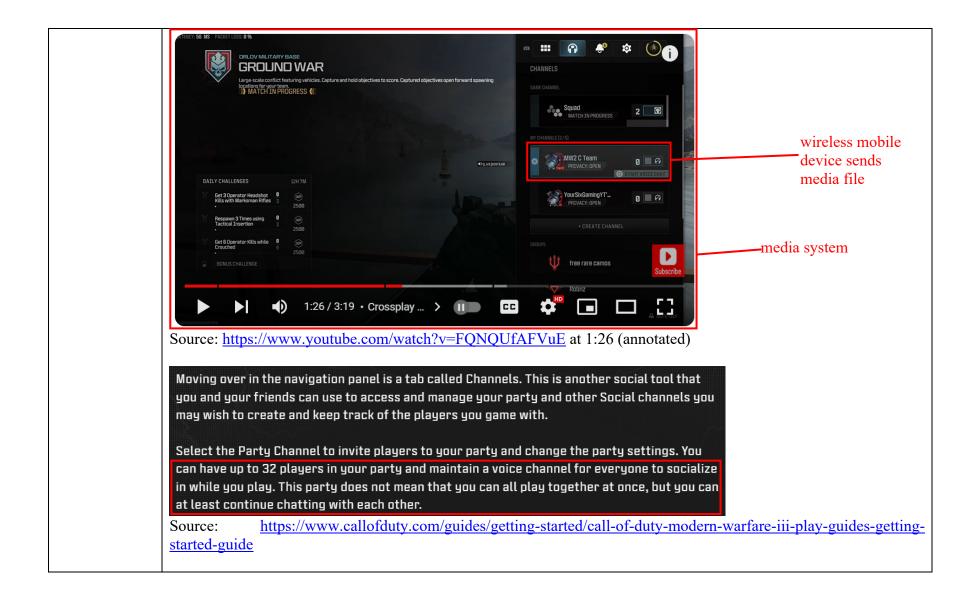


	Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.		
[22.3]	Company performs and/or induces others to perform the step of structuring a communication link to dispose said media		
structuring a	system and said wireless mobile device in a communicative relation with one another via said at least one interac		
communication	computer network.		
link to dispose			
said media	This element is infringed literally, or in the alternative, under the doctrine of equivalents.		
system and said			
wireless	For example, once connected to the wireless internet, the player initiates the login process to their Activision account		
mobile device	using their PC or laptop ("media system"). This involves entering login credentials such as email and password through		
in a	the wireless internet connection ("one interactive computer network"). Further, the player adds his friend so that he can		
communicat-	communicate with them through voice chat. Consequently, this procedure establishes a communication channel		
ive relation	("structuring a communication link") between the player's PC or laptop and the friend's PC or laptop ("wireless mobile		
with one	device").		
another via said			
at least one			
interactive			
computer			
network,			









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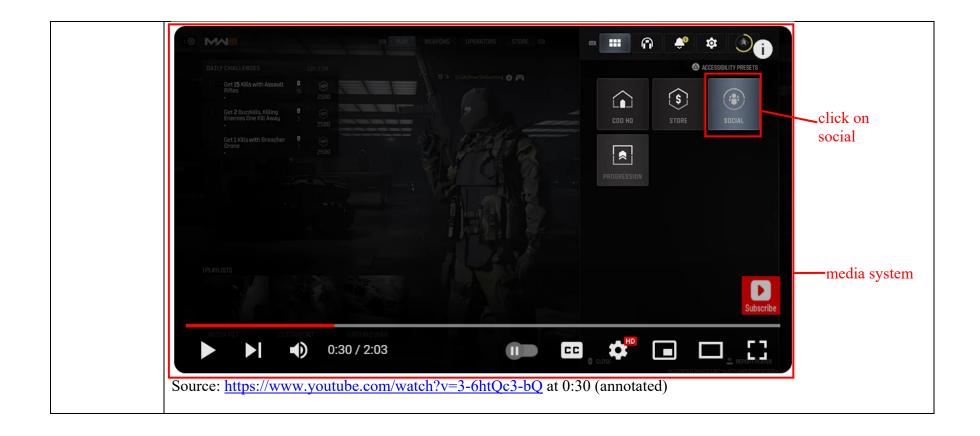
[22.4] initiating said communication link by said media system,

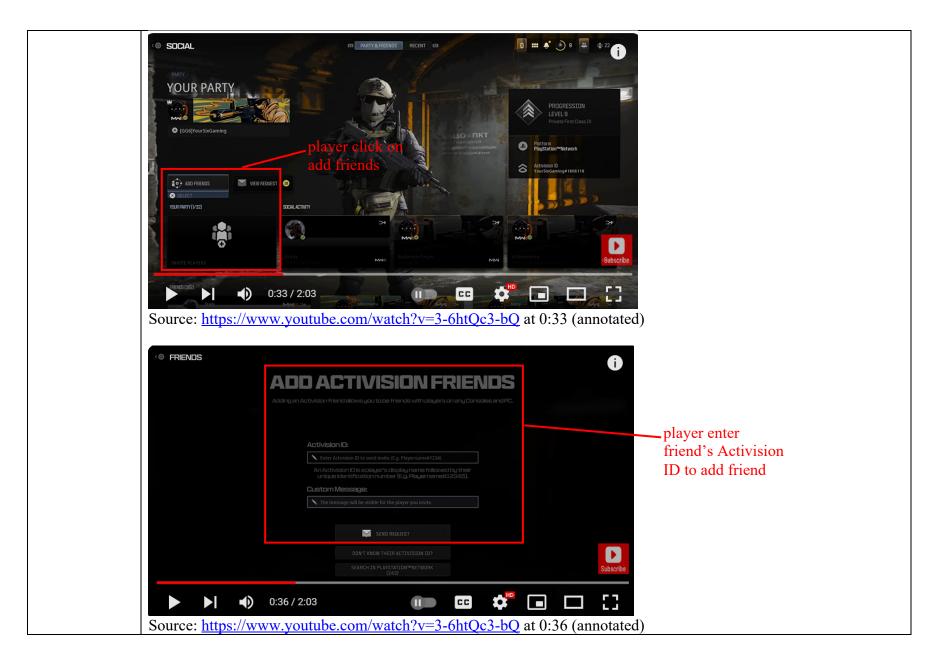
Company performs and/or induces others to perform the step of initiating said communication link by said media system.

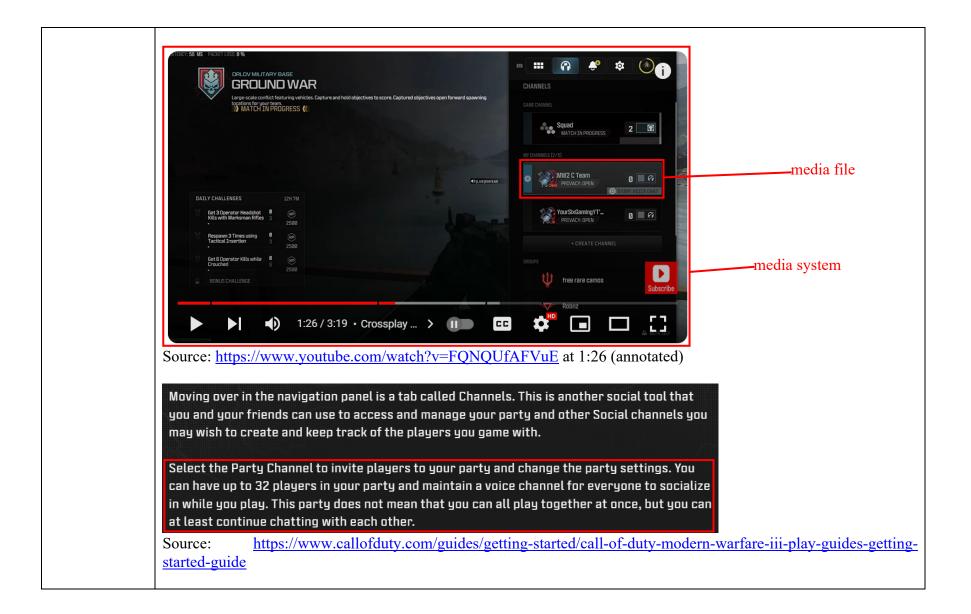
This element is infringed literally, or in the alternative, under the doctrine of equivalents.

For example, the player adds its friend so that he can communicate with them through voice chat. Consequently, this procedure establishes a communication channel between the player's PC or laptop and the friend's PC or laptop ("initiating said communication link by said media system").

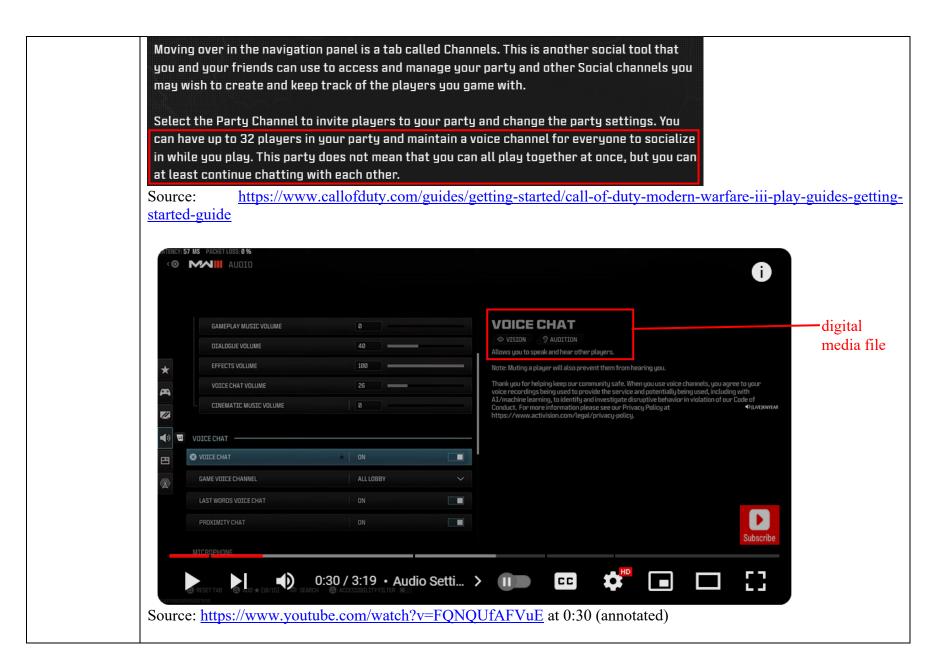


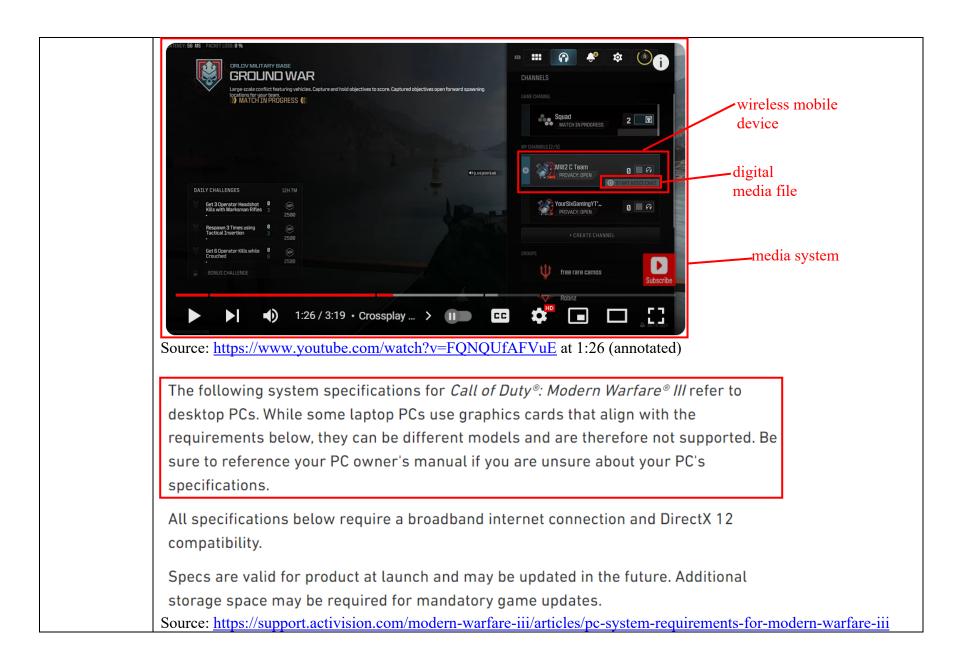






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	storage space may be required for mandatory game updates.		
	Source: https://support.activision.com/modern-warfare-iii/articles/pc-system-requirements-fo (annotated)	or-modern-warfare-iii	
	Further, to the extent this element is performed at least in part by Defendant's software source supplement these contentions pursuant to production of such source code by the Defendant.	code, Plaintiff shall	
[22.5] transmitting by said wireless	Company performs and/or induces others to perform the step of transmitting by said wireless media system said at least one digital media file therebetween via said communication link.	mobile device to the	
mobile device to the media	This element is infringed literally, or in the alternative, under the doctrine of equivalents.		
system said at least one digital media file	For example, both the player and his friend communicate with each other using voice chat during gameplay. The friend's PC or laptop ("wireless mobile device") sends the voice chat ("digital media file") to the player's PC or laptop ("media system").		
therebetween via said communication			
link, and			





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[22.6] wherein said communication link is structured to bypass the security measure of the

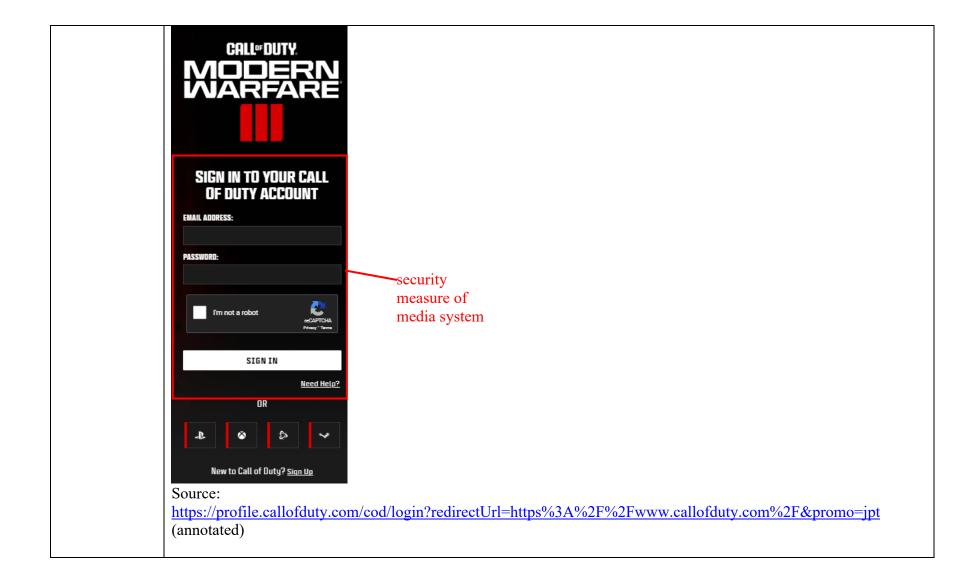
[22.6] wherein said Company performs and/or induces others to perform the step of wherein said communication link is structured to bypass the security measure of the media system for a limited permissible use of the communication link by the wireless mobile device for only transferring the at least one digital media file to, and displaying the at least one digital media file on, the media system.

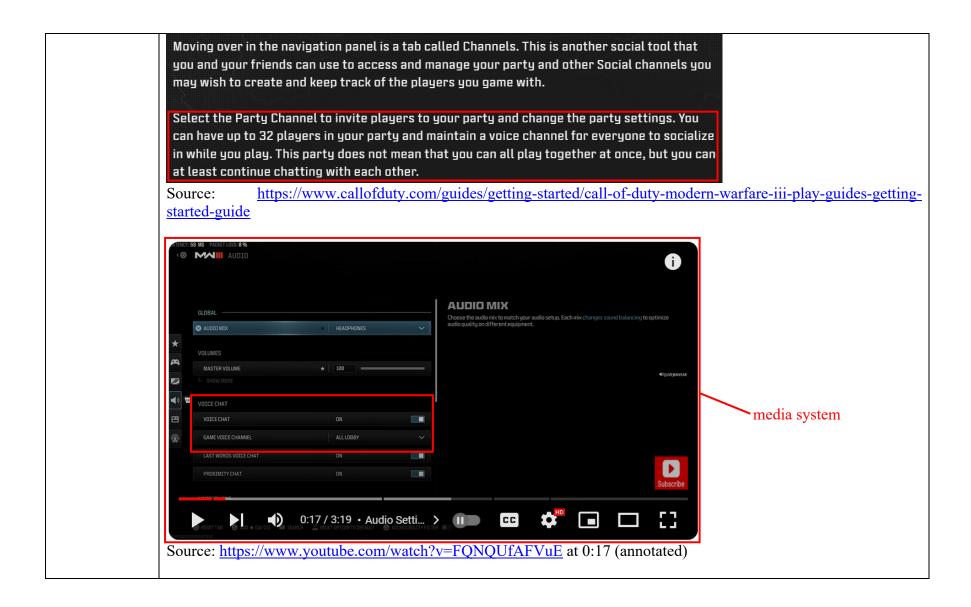
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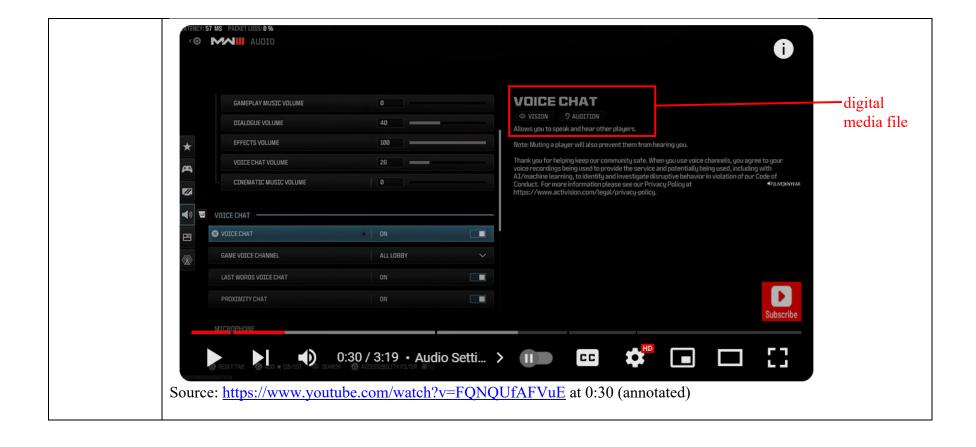
For example, the player's PC or laptop ("media system") and the friend's PC or laptop initially requires to enter login credentials such as username and a password ("security measure") for login into Activision server. The server does not

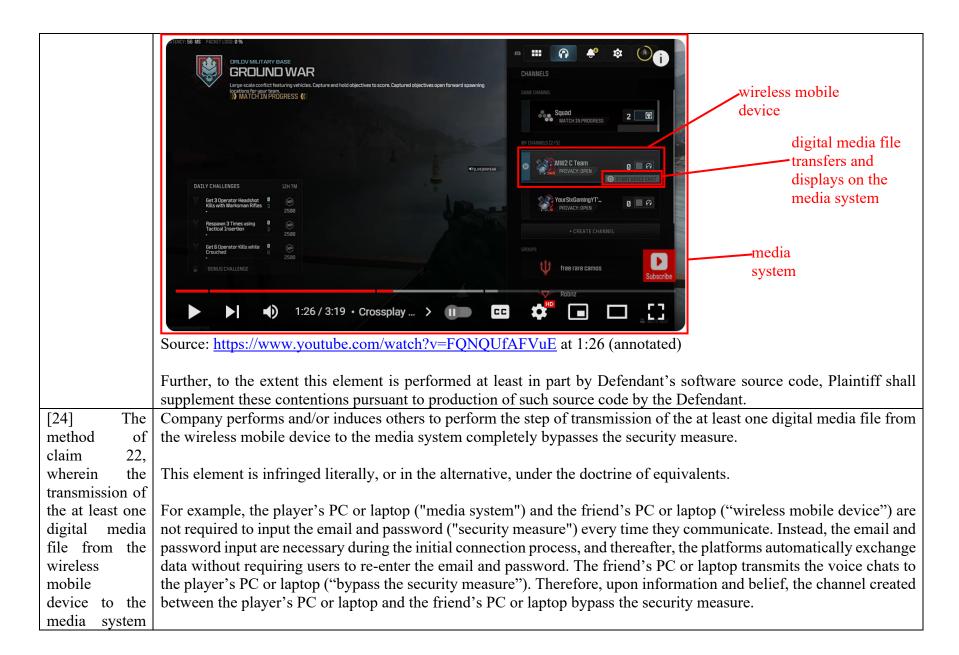
media system for a limited permissible use of link by the wire less mobile device for only transferring the at least one digital media file to, and displaying the at least one digital media file on, the media system.

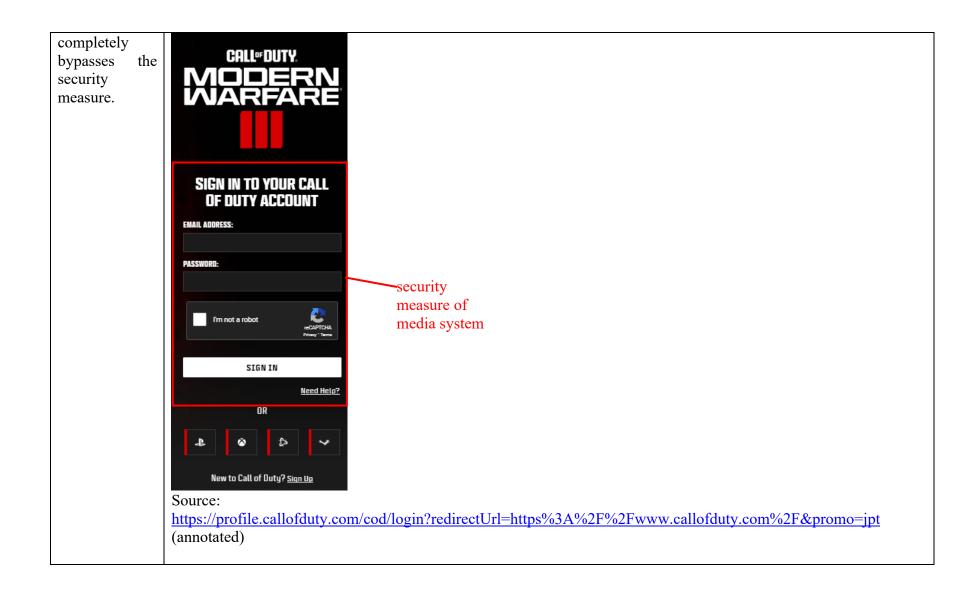
require both player and his friend to input the email and password ("security measure") every time they communicate. Instead, the email and password input are necessary during the initial connection process, and thereafter, both player and his friend's PC or laptop automatically exchanges data without requiring users to re-enter the email and password ("bypass at least one media terminal security measure"). Therefore, upon information and belief, the communication link is structured to bypass at least one media terminal security measure. Furthermore, the friend's PC or laptop utilizes the communication channel exclusively for transmitting the voice chats to the player's PC or laptop ("bypass the security measure of the media system for a limited permissible use of the communication link by the wireless mobile device for only transferring the at least one digital media file").

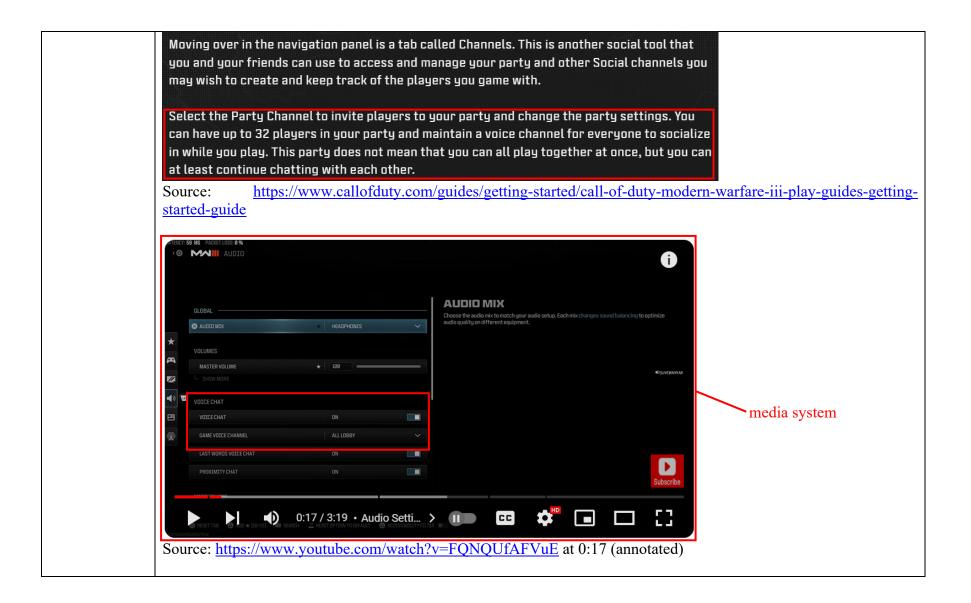




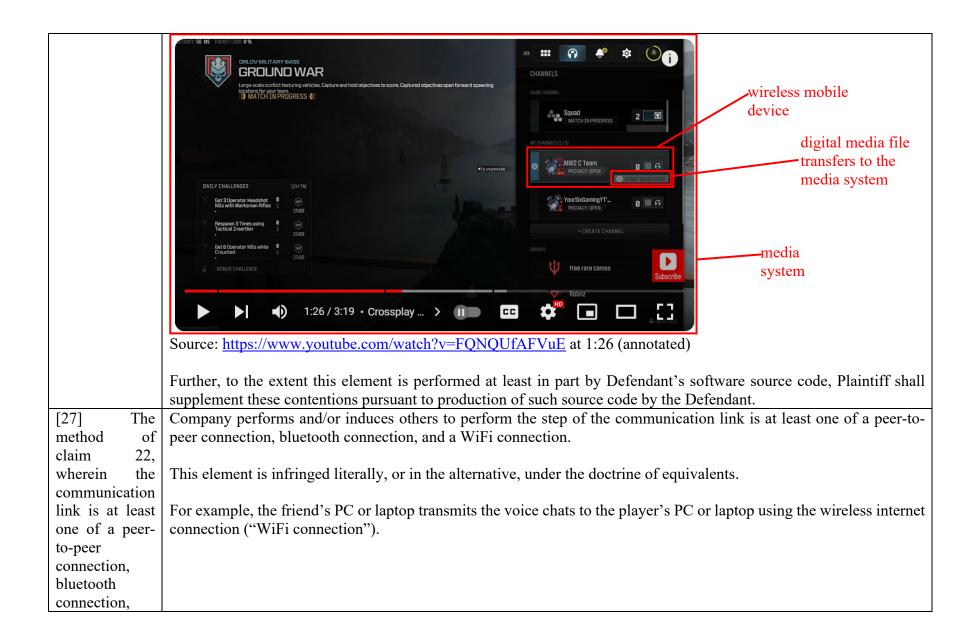












and a WiFi connection.

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If you are on an institutional (school), corporate, or another shared network, please refer to your network administrator for further assistance.

Source: https://support.activision.com/modern-warfare-iii/articles/connecting-to-modern-warfare-iii Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. Company performs and/or induces others to perform the step of presenting the at least one digital media file on a [29] The method of display. claim 22, This element is infringed literally, or in the alternative, under the doctrine of equivalents. further comprising For example, the player's PC or laptop plays and displays ("presenting") the received voice chats ("digital media file"). presenting the at least one digital media file on a GROUND WAR display. locations for your team.

MATCH IN PROGRESS (() presenting the at least one digital media file on the media system free rare camos 1:26 / 3:19 • Crossplay ... > CC Source: https://www.youtube.com/watch?v=FQNQUfAFVuE at 1:26 (annotated)

The following system specifications for *Call of Duty®: Modern Warfare® III* refer to desktop PCs. While some laptop PCs use graphics cards that align with the

requirements below, they can be different models and are therefore not supported. Be sure to reference your PC owner's manual if you are unsure about your PC's specifications.

All specifications below require a broadband internet connection and DirectX 12 compatibility.

Specs are valid for product at launch and may be updated in the future. Additional storage space may be required for mandatory game updates.

Source: <a href="https://support.activision.com/modern-warfare-iii/articles/pc-system-requirements-for-modern-warfare-iii

Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.

[30] The method of claim 22, wherein the at least one digital media file is provided by the wireless mobile device.

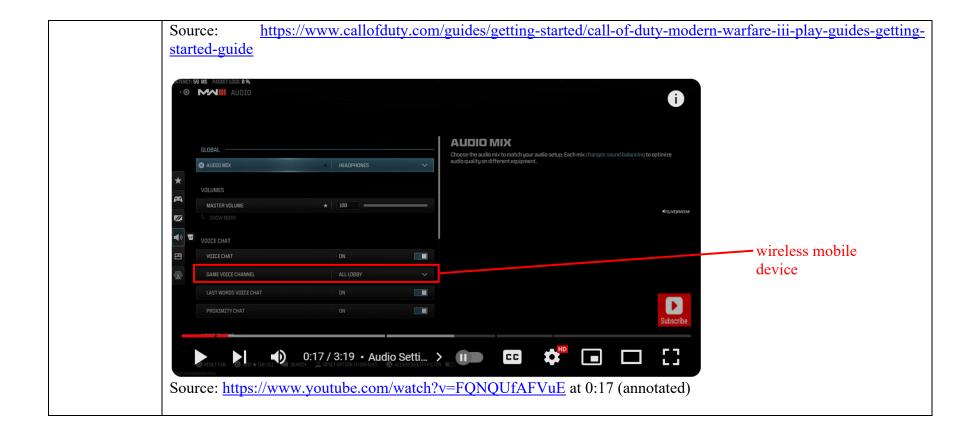
Company performs and/or induces others to perform the step of at least one digital media file is provided by the wireless mobile device.

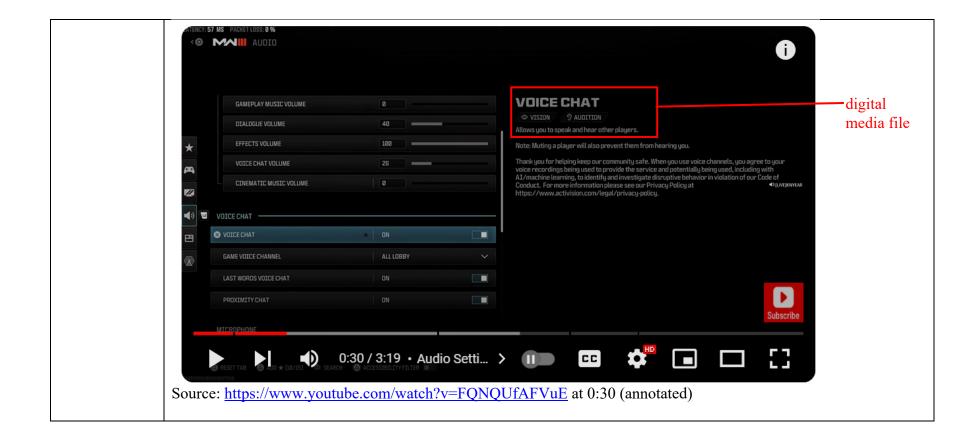
This element is infringed literally, or in the alternative, under the doctrine of equivalents.

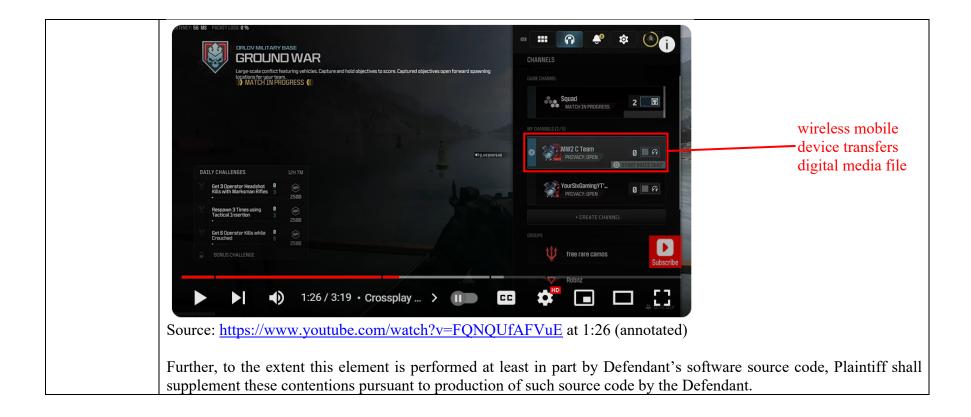
media file is For example, the friend's PC or laptop ("wireless mobile device") transmits the voice chats ("at least one digital media provided by the file") to the player's PC or laptop.

Moving over in the navigation panel is a tab called Channels. This is another social tool that you and your friends can use to access and manage your party and other Social channels you may wish to create and keep track of the players you game with.

Select the Party Channel to invite players to your party and change the party settings. You can have up to 32 players in your party and maintain a voice channel for everyone to socialize in while you play. This party does not mean that you can all play together at once, but you can at least continue chatting with each other.







2. List of References

- 1. https://www.callofduty.com/, last accessed on December 22, 2023.
- 2. https://support.activision.com/modern-warfare-iii/articles/pc-system-requirements-for-modern-warfare-iii, last accessed on December 22, 2023.
- 3. https://support.activision.com/modern-warfare-iii/articles/connecting-to-modern-warfare-iii, last accessed on December 22, 2023.
- 4. https://www.callofduty.com/guides/getting-started/call-of-duty-modern-warfare-iii-play-guides-getting-started-guide, last accessed on December 22, 2023.
- 5. https://support.activision.com/articles/call-of-duty-voice-chat-moderation, last accessed on December 22, 2023.
- 6. https://profile.callofduty.com/cod/login?redirectUrl=https%3A%2F%2Fwww.callofduty.com%2F&promo=jpt, last accessed on December 22, 2023.
- 7. https://www.youtube.com/watch?v=FQNQUfAFVuE, last accessed on December 22, 2023.